

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**RANDY ABBE, Individually and On
Behalf of All Others Similarly Situated,**

Plaintiff,

V.

**SILVERLEAF DEBT SOLUTIONS,
LLC and DEBT RX USA, LLC**

Defendants.

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Civil Action No. 3:10-cv-1565

Jury Demanded

DECLARATION OF MEREDITH MATHEWS

1. My name is Meredith Mathews. I am over eighteen (18) years of age. I have never been convicted of a felony or crime of moral turpitude. I am of sound mind and I am competent to make this declaration. I have personal knowledge of the matters stated herein and they are true and correct.

2. I am the attorney of record for the Plaintiff, Randy Abbe and opt-in Plaintiff Brian Van Dusen (“Plaintiffs”).

3. Plaintiffs filed their lawsuit on August 11, 2010. Defendants filed an Answer on August 24, 2010. On January 26, 2012, Defendants' counsel filed a Motion to Withdraw as counsel of record for Defendants. The Court granted Defendants' counsel's motion on January 27, 2012, and ordered Defendants to retain new counsel by February 27, 2012. Defendants failed to retain new counsel within the time period set forth by the Court.

4. On June 14, 2012, Plaintiffs filed a Motion to Strike Defendants' Answer because Defendants had not retained new counsel and corporations cannot be *pro se* in Federal Court. The Court granted Plaintiffs' Motion on July 9, 2012, and struck Defendants' pleadings from the

record.

5. As of the time of filing the Motion for Default Judgment, Defendants have no Answer to Plaintiff's lawsuit on file with the Court. As a result, Defendants SilverLeaf Debt Solutions and Debt RX USA, LLC are in default.

6. I have calculated the amount of unpaid overtime and liquidated damages owed to Plaintiff Brian Van Dusen to be \$12,940.20. Plaintiff Van Duse is owed \$6,470.10 in unpaid overtime wages. This amount is based on an average of 15 hours of overtime worked per week for each week Van Dusen was employed by Defendants (approximately 39 weeks) multiplied by his overtime rate of \$11.06 (average weekly commissions earned divided by the total number of hours worked per week multiplied by .5) and multiplied again by the total number of weeks he worked for Defendants. He is owed an additional \$6,470.10 in liquidated damages, bringing the total amount Plaintiff Van Dusen is owed to \$12,940.20.¹

7. This declaration is executed in accordance with 28 U.S.C. §1746, for the purpose of enabling Plaintiff to obtain an entry of default against the Defendant.

8. I declare under penalty of perjury that that foregoing is true and correct.

/s/ Meredith Mathews
MEREDITH MATHEWS

Executed on this the 20th day of July, 2012.

¹ A signed declaration from Plaintiff Van Dusen testifying to the information in paragraph 6 can be provided if the Court should need one.